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Michael M. Berzowski
mmb@wbb-law.com
Reply to Milwaukee

February 26, 2008

Brenda Whitney
United States Environmental Protection Agency
Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

Re: Notice of Violation/Kitzinger Cooperage Corporation
Plant 1: 2529 East Norwich Avenue, St. Francis, Wisconsin 53235
Plant 2: 3950 South Pennsylvania Avenue, St. Francis, Wisconsin 53235
EPA ID: WID023402639

Dear Ms. Whitney:

The purpose of this letter is to respond to the EPA Notice of Violation dated January 28, 2008, issued under the signature of Willie H. Harris, P.E.

Since the goal of the Company is environmental compliance and this is the first time in more than sixty years of operation the Company has experienced environmental problems with the EPA, I thought it would be of interest to indicate what has taken place since your December 5, 2007 Compliance Evaluation Inspection on an overall basis and then to address the specifics in the NOV.

In the interest of candor and full disclosure, we wish to point out that the Company is working with the State of Wisconsin Department of Natural Resources with regard to an inspection that took place on February 15, 2007, the results of which were communicated in an NOV dated December 7, 2007 (two days after your inspection). As is the case with the EPA, this is basically the first experience involving any problems with the DNR.

The following general actions have been taken:

1. The Company has in the past used the services of two professional environmental consulting firms, one for air and one for solids. This has resulted in two sets of problems – one being split responsibility and the other the Company having a greater expectation of service delivery on the part of the outside consultants than the outside consultant thought was the case. Certain expectations with regard to compliance procedures and deadlines did not materialize.

This has resulted in the Company deciding to hire a new consultant, RSV Engineering, Inc., for all of its environmental service work. The Company and RSV representatives have met to discuss the problems and review the NOV. Initial work will consist of a compliance audit to

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Brenda Whitney
February 26, 2008
Page 2

evaluate procedures and administrative compliance to be followed by the generation of schedules to insure timely compliance.

2. Representatives of the Company have met with representatives of the present environmental advisors to discuss the matters set forth in the Notice of Violation. This creates a slightly awkward situation since the Company plans to continue current relations until presently pending problems are resolved.

3. The Company has reviewed in great detail the Notices of Violation and as a result, has accomplished or partially accomplished the following:

- a. Removed all of the materials described in the December 5, 2007 Compliance Evaluation Inspection Report.
- b. Reviewed all internal policies or procedures with regard to federal and state compliance matters.
- c. Reviewed the numerous Wisconsin regulations referred to in the Notice of Violation and formalize and assigned responsibilities to various staff members regarding compliance.
- d. Conducted training/regulation familiarity meetings.
- e. Coordinated responsibility between outside experts and internal personnel to ensure that compliance matters are not inadvertently overlooked.
- f. Met with counsel on various occasions to review compliance issues.
- g. Evaluated the need for a part time or full time employee with regard to compliance as opposed to utilizing present employees with assigned responsibilities working closely with outside environmental consultants. The belief is that present employees with assistance from the new consultant should keep the Company in compliance.
- h. Either discontinue practices not in compliance or adopted practices to comply as the case may be.
- i. Instituted a training program for employees to handle hazardous waste.

Brenda Whitney
February 26, 2008
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With respect to the quantity requirements set forth in NR610.08, as mentioned in the NOV and Inspection Report, it appears that there may be a difference in interpretation. For example, in the first paragraph of NR610.08, there are two tests – one is a calendar month test of 220 pounds but less than 1,000 pounds and a total quantity test of 13,230 pounds. In reviewing the Notice of Violation and the Compliance Evaluation Inspection Report, I was unable to locate anything suggesting that the 13,230 pounds limit was exceeded. Therefore, I do not believe there was a violation based upon the quantity of materials onsite. Nevertheless, as previously noted, steps have been taken to remove all of the materials that were the subject of the Notice of Violation. I do not believe this was a shortcoming.

The following numbered points correspond to the numbered points in the Notice of Violation.

1. The Company is now labeling containers with the words “Hazardous Waste.”
2. The Company is now placing the start date of accumulations on each container of hazardous waste.
3. The Company has placed the emergency information next to any telephone with an outside line that may be used when responding to an emergency.
4. The Company has reviewed the provisions of NR610.05 and implemented procedures to determine if waste is hazardous. The practice of discarding lamps in general trash has been discontinued.
5. The Company has implemented procedures to facilitate movement between or around drums in the event of an emergency. With regard to the 13 drums mentioned in the various write ups, I respectfully point out that 2 were empty, 1 was full of water, 1 held oil, 6 were full of silicone-based waste and 3 were half full of silicone-based waste. The total weight of the foregoing containers was less than the 13,230 pounds which appears to be a breakpoint in the regulations. The Company has built a rack storage system for these barrels.
6. The Company is now labeling drums containing used oil with the words “used oil.”
7. Under NR610.08, there is a requirement under subsection n(1) that within 180 days or less, accumulated waste will be shipped offsite or otherwise treated, stored or disposed of. In assessing the amount of time it takes to accumulate the materials, it would appear that none of the barrels in question were onsite in excess of 180 days. Unfortunately, we cannot

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Weiss Berzowski Brady LLP

Brenda Whitney
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Page 4

prove this. With the placement of the start date of accumulation on each container of hazardous waste, it will be possible to tell for certain when materials started to accumulate. The Company should be able to observe time limits.

As noted at the outset, the Company has enjoyed a relatively clean record over the years with regard to environment compliance matters. When it built a new facility in 1995 (the South Pennsylvania location) to handle plastic barrels, it enjoyed a reputation for being a state of art, highly compliant processing operation.

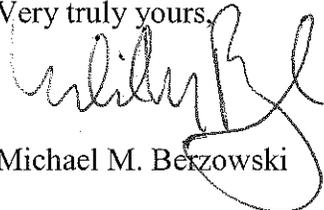
Similarly, when the Company rebuilt its older facility (the Norwich Avenue location), as the result of a fire in 2005, it attempted to install machinery and processes designed to be in compliance. The fire completely shut down the old facility for quite some time and did not return to a full operating cycle until 2007/

With regard to errors in procedure discovered during the inspection that is the barrels onsite, it appears that these items were brought to the attention of the inspectors who were ready to leave the premises by the Company representative.

In view of the foregoing, the history, the efforts exerted to correct shortcomings and the fact that none of these shortcomings resulted in damage to the environment, spillage or leakage, we would respectfully request that in assessing this situation, the EPA take into account the nature of the shortcomings, the changes that have been made and the immediate action that has been taken to preclude future occurrences.

We would be happy to discuss the Notice of Violation and related matters either over the telephone or travel to Chicago to discuss all of this in person, if deemed necessary.

Very truly yours,



Michael M. Berzowski

MMB:blt



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

11 MAR 2008

REPLY TO THE ATTENTION OF:

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

LR-8J

Michael M. Berzowski
Weiss, Berzowski, Brady, LLP
700 North Water Street
Milwaukee, Wisconsin 53202-4273

Re: Kitzinger Cooperage Corporation
Plant 1: 2529 East Norwich Avenue, St. Francis, Wisconsin 53235
Plant 2: 3950 South Pennsylvania Avenue, St. Francis, Wisconsin 53235
EPA ID#: WID023402639

Dear Mr. Berzowski:

On November 14, 2007, representatives of the United States Environmental Protection Agency (U.S. EPA) and Wisconsin Department of Natural Resources inspected the Kitzinger Cooperage Corporation ("Kitzinger") facilities located at 2529 East Norwich Avenue and 3950 South Pennsylvania Avenue in St. Francis, Wisconsin. In response to violations of the United States Code of Federal Regulations and the Wisconsin Administrative Code identified during the inspection, the U.S. EPA issued a Notice of Violation (NOV) to Mr. Janowski of Kitzinger on January 28, 2008. Subsequent to the Notice of Violation, you submitted information regarding the identified violations in written correspondence dated February 26, 2008.

This letter is to inform you that the U.S. EPA has reviewed the referenced responses to the January 28, 2008, NOV and does not plan additional enforcement action at this time. This letter does not limit the applicability of either the requirements evaluated, or of other federal or state statutes or regulations. The U.S. EPA and WDNR will continue to evaluate Kitzinger in the future. If you have any questions or concerns regarding this matter, please contact Brenda Whitney of my staff at (312) 353-4796.

Sincerely,

Willie H. Harris, P.E.
Chief, RCRA Branch
Land and Chemicals Division

cc: Dolores Hayden – WDNR, SEDO

SENDER: COMPLETE THIS SECTION

COMPLETE THIS SECTION ON DELIVERY

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

A. Received by (Please Print Clearly) *John D. M. H.* B. Date of Delivery *3/13/01*

C. Signature *John D. M. H.* Agent Address

D. Is delivery address different from item 1? Yes No

Enter delivery address below:

1. Article Addressed to:

Michael M. Berzowski
 Weiss, Berzowski, Erady, LLP
 700 North Water Street
 Milwaukee, Wisconsin 53202-4273

Registered Return Receipt for Merchandise

Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number
(Transfer from service label)

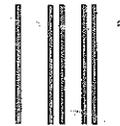
7001 0320 0006 0185 6326

PS Form 3811, March 2001

Domestic Return Receipt

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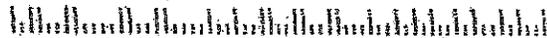
UNITED STATES POSTAL SERVICE



First-Class Mail
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° Sender: Please print your name, address, and ZIP+4 in this box °

U.S. EPA
 77 W JACKSON BLVD
 CHICAGO, IL 60604 - LR-8J
 ATTN: BRENDA WHITNEY





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

JAN 28 2008

REPLY TO THE ATTENTION OF:

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

LR-8J

Bob Janowski
Vice President
Kitzinger Cooperage Corporation
2529 East Norwich Avenue
St. Francis, Wisconsin 53235

Re: Notice of Violation
Kitzinger Cooperage Corporation
Plant 1: 2529 East Norwich Avenue, St. Francis, Wisconsin 53235
Plant 2: 3950 South Pennsylvania Avenue, St. Francis, Wisconsin 53235
EPA ID: WID023402639

Dear Mr. Janowski:

On December 5, 2007, representatives of the United States Environmental Protection Agency (U.S. EPA) and the Wisconsin Department of Natural Resources inspected Kitzinger Cooperage Corporation ("Kitzinger," "Plant 1," "Plant 2," or "Facility") located in St Francis, Wisconsin. The purpose of the inspection was to evaluate Kitzinger's compliance with certain provisions of the Resource Conservation and Recovery Act (RCRA); specifically, those regulations related to the generation, treatment and storage of hazardous waste. Please find enclosed a copy of the inspection report for your reference.

Based on information provided by Kitzinger personnel, a review of records, and physical observations made by the inspector at the time of the investigation, the U.S. EPA has determined that Kitzinger was subject to full regulation as a small quantity generator. Although Kitzinger may generate less than 100kg of hazardous waste in a calendar month, at the time of the inspection, Kitzinger was storing more than 1,000kg of hazardous waste on-site. In addition, Kitzinger was engaged in the storage of hazardous waste without a license and was in violation of certain requirements of the Wisconsin Administrative Code (WAC) and United States Code of Federal Regulations (CFR). To be eligible for the exemption from having a hazardous waste storage license as a small quantity generator, Kitzinger must be in compliance with the conditions of WAC s. NR 610.08 [40 CFR § 262.34(c) and (d)]. We find that Kitzinger was in noncompliance with the following conditions for a storage license exemption and in violation of the following requirements:

1. In order to avoid the need for a hazardous waste license, a small quantity generator of hazardous waste must mark each container with the words "Hazardous Waste" or other words that identify the contents of the containers as hazardous waste before placing hazardous waste in an on-site storage area. See, WAC s. NR 610.08(k)(1) [40 CFR § 262.34(a)(3)].

At the time of the inspection, six full 55-gallon drums of silicone-based hazardous waste and three half-full 55-gallon drums of the same waste were located in a truck trailer at the receiving dock of Plant 1. The drums were not labeled with the words "Hazardous Waste" or with other words identifying the contents of the containers as hazardous waste. Kitzinger, therefore, failed to comply with the above-mentioned condition for a hazardous waste license exemption.

2. In order to avoid the need for a hazardous waste license, a small quantity generator of hazardous waste must place the start date of accumulation on each container of hazardous waste that does not qualify as a container in satellite accumulation. See, WAC s. NR 610.08(o)(9) [40 CFR § 262.34(a)(2)].

At the time of the inspection, six full 55-gallon drums of silicone-based hazardous waste and three half-full 55-gallon drums of the same waste were located in a truck trailer at the receiving dock of Plant 1. The drums were not marked with their individual start dates of accumulation. Kitzinger, therefore, failed to comply with the above-mentioned condition for a hazardous waste license exemption.

3. In order to avoid the need for a hazardous waste storage license, a small quantity generator of hazardous waste must post the following information next to any telephone with an outside line that may be used when responding to an emergency: The name and telephone number of the emergency coordinator or the procedures for contacting that person; the location of the nearest fire extinguisher, spill control material and fire alarm; and the telephone number of the fire department unless the facility has a direct alarm. See, WAC s. NR 610.08(w)(2)a.-b. [40 CFR § 262.34(d)(5)(ii)(A)-(C)].

At the time of the inspection, the emergency information listed above was not posted near a telephone with an outside line that may be used when responding to an emergency. Kitzinger, therefore, failed to comply with the above-mentioned condition for a hazardous waste license exemption.

4. Small quantity generators of hazardous waste must determine if their waste is a hazardous waste using the procedures in WAC s. NR 610.05. See also, WAC s. NR 610.08(1)(a) [40 CFR § 262.11(a)-(d)].

At the time of the inspection, Mr. Janowski stated that used lamps are discarded in the general trash. No documentation of a waste determination was on-site. Kitzinger, therefore, violated the above-mentioned hazardous waste determination requirement.

5. In order to avoid the need for a hazardous waste storage license, a small quantity generator of hazardous waste must maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment and decontamination equipment to any area of facility operation in an emergency, unless it can be demonstrated that aisle space is not needed for any of these purposes. The aisle space condition is also a requirement of owners and operators of hazardous waste storage facilities. See, WAC ss. NR 610.08(q), 630.21(5) [40 CFR §§ 262.34(d)(4), 265.35].

At the time of the inspection, the hazardous waste accumulation area was located in a truck trailer positioned at the receiving dock at Plant 1. The thirteen 55-gallon drums at the mouth of the trailer were packed tightly together curtailing movement between or around the drums in the event of an emergency. Kitzinger, therefore, failed to comply with the above mentioned condition for a hazardous waste license exemption and violated the above-mentioned preparedness and prevention requirement for owners and operators of hazardous waste storage facilities.

6. Used oil generators are required to label containers and above-ground tanks used to store used oil with the words "Used Oil." See, WAC s. NR 590.13(4)(a) [40 CFR § 279.22(c)(1)].

At the time of the inspection, Kitzinger had two 55-gallon drums containing what Mr. Janowski identified as used oil. The drums were not labeled with the words "Used Oil." Kitzinger, therefore, violated the above used oil storage requirement.

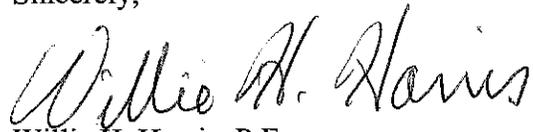
7. A small quantity generator that accumulates hazardous waste on-site for 180 days or fewer and who does not meet the conditions for a license exemption of WAC s. NR 610.08 [40 CFR § 262.34(d)-(e)] is an operator of a hazardous waste storage facility and is required to obtain a Wisconsin hazardous waste storage license. See, WAC ss. NR 610.08; 680.30; 680.31(2); and 680.32(2) [40 CFR §§ 262.34(d); 270.1(c); 270.10(a), (d); 270.13].

Kitzinger's failure to apply for and obtain a hazardous waste storage license, as required by failing to meet exemption conditions described in violations 1, 2, 3, and 5 above, violated the licensing requirements of WAC ss. NR 680.30, 680.31(2), and 680.32(2) [40 CFR §§ 270.1(c); 270.10(a), (d); 270.13].

At this time, U.S. EPA is not requiring Kitzinger to apply for a storage license so long as Kitzinger immediately establishes compliance with the conditions for an exemption outlined above. According to Section 3008(a) of the Resource Conservation and Recovery Act (RCRA), U.S. EPA may issue an order assessing a civil penalty for any past or current violation requiring compliance immediately or within a specified time period. Although this letter is not such an order, you are hereby requested to submit a response in writing to this office no later than thirty (30) days after receipt of this letter documenting the actions, if any, which have been taken since the inspection to establish compliance with the above conditions and requirements.

You should submit your response to Brenda Whitney, U.S. EPA, Region 5, 77 West Jackson Boulevard, LR-8J, Chicago, Illinois 60604. If you have any questions regarding this letter, please contact Brenda Whitney of my staff at (312) 353-4796.

Sincerely,

A handwritten signature in cursive script that reads "Willie H. Harris".

Willie H. Harris, P.E.
Chief, RCRA Branch
Land and Chemicals Division

cc: Dolores Hayden, WDNR - SEDO

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, ILLINOIS 60604

Compliance Evaluation Inspection Report

Date of Inspection: 12/5/2007

Facility Name: Kitzinger Cooperage Corporation

Facility Address: Plant 1
2529 East Norwich Avenue
St Francis, Wisconsin 53235

Plant 2
3950 South Pennsylvania Avenue
St. Francis, Wisconsin 53235

EPA RCRA ID Number: WID023402639

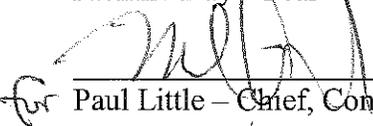
Generator Status: Conditionally Exempt Small Quantity Generator

Facility Contact: Bob Janowski - Vice President

U.S. EPA RCRA Inspector: Brenda Whitney - Environmental Engineer
Land and Chemicals Division
RCRA Branch
Compliance Section 2

Prepared By: 
Brenda Whitney - Environmental Engineer

Date Completed: 12 / 14 / 2007
Month / Day / Year

Accepted By: 
Paul Little - Chief, Compliance Section 2

Date Accepted: 12 / 18 / 07
Month / Day / Year

Introduction

An unannounced Compliance Evaluation Inspection (CEI) of Kitzinger Cooperage Corporation (“Kitzinger” or “Facility”) located at 2529 East Norwich Avenue (“Plant 1”) and 3950 South Pennsylvania Ave. (“Plant 2”), in St Francis, Wisconsin, took place on December 5, 2007. Both properties are situated on contiguous property directly across East Norwich Avenue from one another. I conducted a Conditionally Exempt Small Quantity Generator inspection. The following people were present for part or all of this inspection:

Bob Janowski - Vice President	Kitzinger
Dolores Hayden – Senior Waste Management Specialist	WDNR
Brenda Whitney – Environmental Engineer	U.S. EPA

Ms. Whitney and Ms. Hayden displayed official credentials and identification to the Facility personnel upon arrival. During an introductory briefing, the purpose and logistics of the inspection were delineated and permission for the inspectors to take photographs in the plants was granted by Mr. Janowski.

Facility Information

The following information about Kitzinger is based on the personal observations of the U.S. EPA and on representations made during the inspection by the Facility personnel identified above or within the text.

The main process at Kitzinger is steel and plastic container refurbishing. Steel containers are processed in Plant 1. Though Plant 2 also has the capability to handle the steel container line, ordinarily, only plastic containers are reconditioned in Plant 2. In 2005, a fire in Plant 1 shut down operations temporarily. Plant 2 carried both the steel and plastic operations during the reconstruction of Plant 1.

As a secondary process, Kitzinger manufactures steel drums in sizes from 8 to 30 gallons in Plant 1. The drums and lids are formed from sheets of steel and are painted to customer specifications.

All drums are brought to the Facility in truck trailers. The steel drums are directed to Plant 1 and the plastic drums to Plant 2. The steel drums are unloaded at an outdoor docking area at Plant 1. Workers on the dock determine if the contents of the drum need to be burned out in Kitzinger’s on-site incinerator, or if they contain product that can be rinsed out in a caustic bath. Drums that do not have removable lids may have their tops cut off to ensure proper residue removal.

The drums designated for the incinerator are burned at temperatures between 1600°F and 1800°F. The contents of the drums convert to ash, which is collected in two lugger boxes located at the head of the incinerator. The drums are conveyed to a blast unit that removes residual ash. The baghouse dust from the blast unit is collected and is put in the ash lugger boxes

for disposal. Heavier blast residue that does not get drawn up into the baghouse, is collected in drums for a customer who reuses the metal fines in a foundry. Dents and structural anomalies in the drums are removed or minimized as needed in the next step of the process. Drums that are not salvageable are sent off with the other scrap metal to Miller Compressing.

The drums which are not sent through the incinerator are soaked in a submerged washer and steamed. Labels that remain on the drums are removed by hand or with sanders. Drums containing residue that cannot be removed by steaming or by washing are taken to a rack where chains are put in the drums which are rotated on the rack allowing the chains to scrape out the last remains. If the drums still cannot be cleaned, they are sent to the incinerator.

When the drums are satisfactorily emptied by either washing or burning, the containers are put on an assembly line that leads to paint booths for inside epoxy coatings and outside painting with water-based paints according to customer specifications. The epoxy is baked at 400°F, and the external paint is dried at 250°F. The paint lines are not flushed with solvent when colors are changed. All paint filters and residual paint wastes are burned in the incinerator. Used spray cans are also burned in the incinerator. The can itself is salvaged for scrap.

The process in Plant 2 focuses on plastic containers. Drums are rinsed out and any labels are removed. The exterior of the drums are washed in a caustic bath then the interiors are washed. The drums are inspected and certified. Any drums that cannot be reconditioned are cut and ground down into small chips and sold as a raw material. Totes and other bulky containers are processed on a second, larger line in much the same fashion.

The wastewater generated at Plant 2 is collected in a 4,000-gallon holding tank from which the water is either reused in the system or is pumped into a tanker truck to be transported to the waste water treatment system (WWTS) in Plant 1. Any water that falls on the floor is collected in an underground sump and is pumped into the holding tank. The WWTS discharges to the Milwaukee Metropolitan Sewerage District under Permit #503203 due to expire in January, 2009. The WWTS batch treats approximately 3-4,000 gallons of waste water per day.

Walk-Through of Facility

The walk-through of the Facility began in Plant 2. Mr. Janowski explained each stage of the process for the reconditioning of the plastic containers, as noted above. Grates in the floor allow excess water to collect in the sump which leads to the holding tank. At the head of the wash line that handles bigger containers, such as totes, was a 55-gallon drum of oil that had been collected from residuals left in product drums that were to be washed. Residual oil is collected in drums in both Plants 1 and 2 and is sold as a raw material. Rags contaminated with either acetone or mineral spirits are used for wipe downs in Plant 2. A small 5-gallon closed container of used rags contaminated with acetone was near the tote-washing line. No free liquids were in the bottom of the container.

The walk-through proceeded to Plant 1 where steel drums are manufactured or refurbished. The drum manufacturing area is on the east side of the building. Drums are fabricated from sheets of steel that are cut to the appropriate size, rolled, and welded at the seam. The drums and their

covers are rinsed off before they are painted with water-based paints according to customer specifications (Appendix A: Picture 1). The filters in the paint booth and the collected overspray are incinerated on site.

A truck bay separates the manufacturing portion of the Facility from the refurbishing portion. In the truck bay were two 55-gallon drums of used oil (Appendix A: Picture 2). The drums were not labeled with the words "Used Oil".

The steel drum refurbishing process was reorganized after the fire in 2005. The drums are serviced on a continuous conveyor belt. The inspection went through the process in the reverse. The painting areas and driers are at the end of the line. Epoxy is sprayed inside the drums as a liner as well as on the lids. External paint is applied manually with different guns for different colors. Waste was not observed to be accumulating near these booths at the time of the inspection.

Near the blast unit, at the west end of the Facility, is a pre-separator for the water that is used in both Plants. The oil is skimmed from the top of the waste waster. The recovered oil is used as chain coolant on the conveyor belt in the incinerator. The water is transferred to a holding tank to await batch treatment in the WWTS which is just south and east of the pre-separator.

The baghouse dust collection component for the blast unit is outside near the incinerator, which is on the west side of the building. Drums ride the conveyor belt through the burn chamber of the incinerator. The order of the drums is coordinated by operators at the head of the burning unit on the unloading dock. Some residuals are more flammable than others and must be spaced out on the conveyor accordingly.

Hazardous waste is stored in a truck trailer at the dock at the head of the incinerator (Appendix A: Picture 3). Mr. Janowski transfers a silicone residue containing xylene and toluene from incoming drums into consolidation drums. The residue cannot be washed or incinerated out of the drums. It can take approximately four months to fill one 55-gallon drum with these residues. At the time of the inspection, thirteen 55-gallon drums were observed in the trailer. Of those thirteen, per Mr. Janowski, six were full, and three were half-full of the hazardous silicone-based waste. Of the four remaining drums, two were empty, one contained water (ice) and the fourth held product oil. The hazardous drums were closed, but were not labeled with the words "Hazardous Waste" or dated with the start dates of accumulation. Each full drum weighs approximately 460 pounds, similar to water. The last recorded hazardous waste shipment from this Facility was made on 6/02/2005 after the fire in Plant 1.

The submerged-washing unit for the new drums, which may not require incineration, is inside the building to the north of the blasting unit. Also in this area is a storage room in which at least fifteen 55-gallon drums of recovered product oil are stored. The oil comes directly from the residue remaining in raw oil drums. Kitzinger sells the oil.

End of Walk-Through

Records and Emergency Preparedness Review

Because more than 1,000 kg (2200 lbs), but less than 6,000 kg (13,200 lbs), of hazardous waste was stored on site at the time of the inspection, Kitzinger was required to follow the small quantity generator regulations from the time when the quantity of hazardous waste in storage exceeded 1,000 kg (approximately five 55-gallon drums).

Preparedness and Prevention: Both plants have alarm systems that are directly linked to the fire department. The new sections of Plant 1 have been outfitted with a sprinkler system. Management carries two way radios. Phones that can call for external assistance are located in offices in both buildings. Portable fire extinguishers, drum over-packs, spill kits and eye washes are located throughout the plants. The fire extinguishers are tested twice annually with the latest on 10/07. Hazardous waste is handled on the incoming dock by the incinerator in Plant 1. Emergency communications are not available on that dock. The noise of the incinerator and the operations within the building prevent voice contact from being an adequate signal, but visual signals could be made. Aisle space throughout the plants is adequate except for in the hazardous waste accumulation trailer. The first row blocks access to the rear drums. Arrangements with the fire department have been made. Kitzinger is inspected quarterly by the fire department.

Emergency Posting: A notice that included the phone number for the emergency coordinator (Mr. Janowski), as well as a listing or diagram of the locations of emergency equipment and alarms in Plants 1 and 2 was not posted near a telephone. Diagrams showing the location of fire extinguishers are posted elsewhere in the Facility.

Training: On the job training is given to all employees who handle hazardous waste. Mr. Janowski manages the hazardous waste most often by himself. All employees have been familiarized with emergency procedures and evacuation routes and signals.

Manifests: Manifests from shipments made in 2003 and 2005 were kept at the Facility. The manifests were complete and had been sent in to the WDNR. Hazardous waste shipments were not made during 2004, 2006, or 2007 up to the date of the inspection.

Waste Determinations: Documentation of the following waste determinations was available on site:

1. Incinerator ash mixed with baghouse dust and WWTS filter cake. A TCLP of the conglomerate indicated that the waste was non-hazardous. The analysis was performed by Onyx Environmental Services, LLC on 9/10/03. Individual analyses or determinations for these three wastes were not available at the time of the inspection.
2. Silicone waste containing xylene and toluene. A document dated 10/31/07, from Brenntag Great Lakes, LLC, labeled this waste with the F003, F005, and D001 hazardous waste numbers.
3. Oil Solvent Mix. A document dated 6/26/07, from Brenntag Great Lakes, LLC, labeled this waste with the F003, D001 hazardous waste numbers. According to Mr. Janowski, this waste is not often generated at the Facility.
4. MSDSs for water-based paints indicate that the flash point is greater than 200°F.

Universal Waste: Truck and forklift batteries are changed by an outside vender and are not stored on-site. Per Mr. Janowski, lamps are discarded in the general trash. The Facility uses mostly metal halide lamps in the manufacturing area and fluorescent bulbs in the office areas.

Closing Conference

The following items were discussed with Kitzinger personnel at the close of the inspection.

- Generator Status: Kitzinger apparently generates less than 100kg (220lbs) of hazardous waste in a calendar month, placing Kitzinger in federal Conditionally Exempt Small Quantity Generator status (Very Small Quantity Generator status under the Wisconsin regulations).
- Kitzinger was storing more than 1000kg (2200lbs) of hazardous waste in a trailer at the unloading dock behind Plant 1. This quantity of waste on-site requires Kitzinger to abide by the Small Quantity Generator regulations until the waste stored on-site is less than 1000kg.
- Used oil drums should be labeled as "Used Oil".
- Lamps may not be disposed in the general trash without a documented waste determination showing why the lamps are non-hazardous.
- Hazardous waste may not be incinerated in a device that is not permitted under the RCRA regulations.

Appendix A

PHOTO LOG

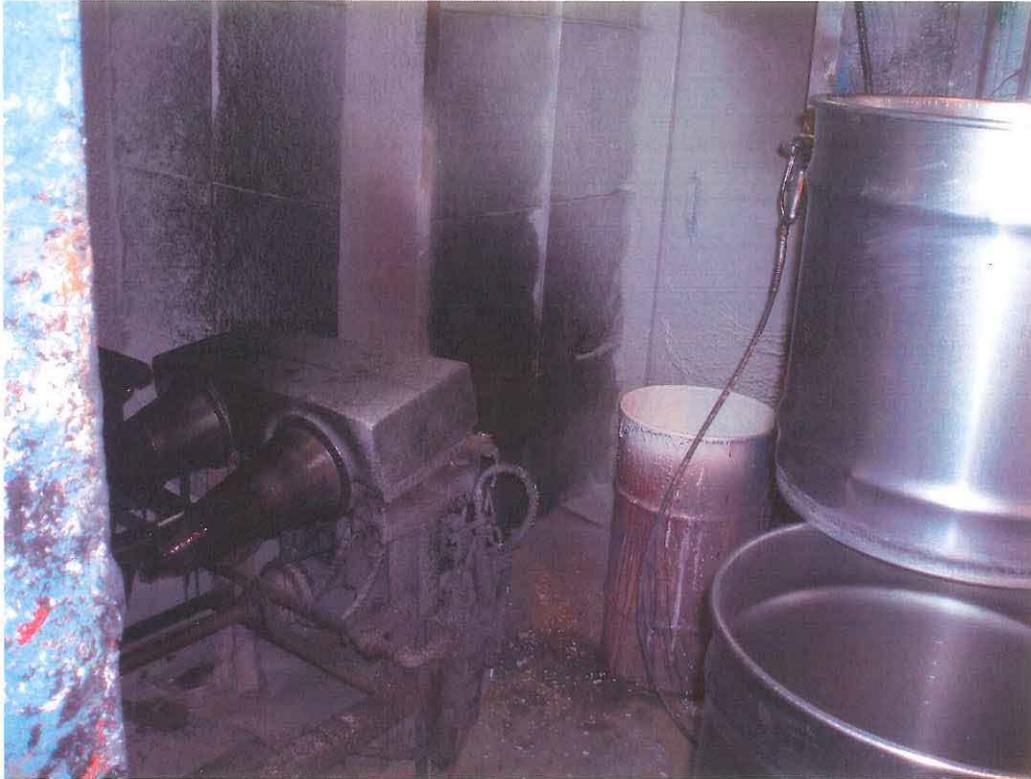
Inspection Date:
December 5, 2007

Facility Name, Address, and EPA ID #:
Kitzinger Cooperage Corporation
WID023402639

Plant 1
2529 E Norwich Avenue
St. Francis, Wisconsin 53235

Plant 2
3950 S. Pennsylvania Avenue
St. Francis, Wisconsin 53235

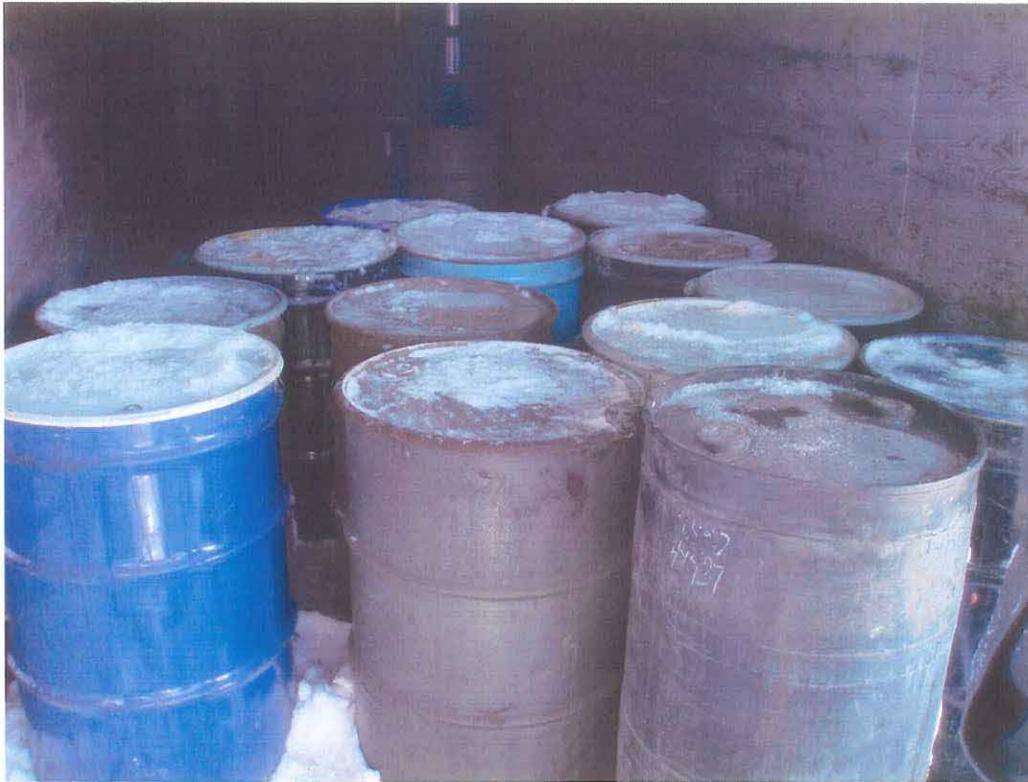
Inspector and Photographer:
Brenda Whitney
Land and Chemicals Division
RCRA Branch
Compliance Section 2



Picture 1 – The filters and drum of spray waste from this paint booth in the steel drum manufacturing portion of Plant 1, as well as from two other paint booths in this plant, will be burned in Kitzinger’s on-site incinerator.



Picture 2 – Two 55-gallon drums of used oil one of the truck bays in Plant 1 were not labeled with the words “Used Oil”.



Picture 3 – Hazardous waste generated at the Facility is stored in a trailer located at the dock of Plant 1. Thirteen drums were stored in this trailer at the time of the inspection. One drum contained frozen water. A second drum contained oil product. Two drums were empty. Six drums were full of “silicone waste” and three drums were half-full of “silicone waste”.

VERY SMALL QUANTITY GENERATOR INSPECTION FORM
WISCONSIN DEPARTMENT OF NATURAL RESOURCES
HAZARDOUS WASTE MANAGEMENT PROGRAM

Section A: Inspection Information

Inspection Date(s): 12/5/2007	DNR Region: SER	DNR-Inspector(s): Dolores Hayden USEPA: Brenda Whitney
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Section B: Facility Information

Facility Name: Kitzinger Cooperage
EPA ID # WID023402639 DNR FID# 241063570
Facility Location: Street: 2529 E. Norwich Avenue
City: ST. FRANCIS County: MILWAUKEE Zip: 53235
Facility Contact: BOB JANOWSKI Title: _____
Contact Phone Number: (414) 483-8800
Mailing Address: Street: SAME AS ABOVE
City: _____ State: _____ Zip: _____
Legal Owner: Name: _____
Street: _____
City: _____ State: _____ Zip: _____
Personnel Present: BOB JANOWSKI Title: VP
Title: _____
Facility Main Product or Process:
DRUM/CONTAINER RECONDITIONING

Section C: Waste Information

1. Waste Summary					
Waste Description	Analysis (Date)	Generator Knowledge (✓)	Hazardous Waste Code	Generation Rate lbs / month	Receiving Facility
<u>SILICONE WASTE</u>	<u>10/3/07</u>	<u>✓</u>	<u>D001</u>	<u>< 220 lb/mo</u>	<u>Brenntag</u>
<u>ASH, DUST, FILTER CAKE</u>	<u>9/10/03</u>		<u>NONE</u>	<u>several y³</u>	
2. Has a hazardous waste determination been made on all solid waste generated?					<u>Y</u> <u>N</u> NR 610.07(1)(a)
3. Does the generator need to make a new waste determination?					<u>Y</u> <u>N</u> NR 610.05(5)
4. Are records of all determinations maintained at the facility for at least 3 years?					<u>Y</u> <u>N</u> NR 610.05(6)
5. Does the facility generate less than 220 lbs. (100 kg) of hazardous or 2.2 lbs (1 kg) of acutely hazardous waste per month? <u>(AS CURRENTLY KNOWN)</u>					<u>Y</u> <u>N</u> NR 610.07(1)

Section Comments: (Describe measures taken to minimize hazardous waste generated)

VERY SMALL QUANTITY GENERATOR INSPECTION FORM
WISCONSIN DEPARTMENT OF NATURAL RESOURCES
HAZARDOUS WASTE MANAGEMENT PROGRAM

Section D: Off-site Management of Wastes			
1. Does the generator notify the receiving facility of the hazardous waste characteristics of their waste?	<input checked="" type="radio"/> Y	<input type="radio"/> N	NR 610.07(6)
2. Does the generator use licensed hazardous waste transporters? Transporter Names and State of WI HW Lic. #:	<input checked="" type="radio"/> Y	<input type="radio"/> N	NR 610.07(7)
3. Does the generator transport waste to a VSQG Collection Site?	<input type="radio"/> Y	<input checked="" type="radio"/> N	May, 1995 Guidance
4. Does the generator use a hazardous waste manifest form for shipping hazardous waste?	<input checked="" type="radio"/> Y	<input type="radio"/> N	If Yes, go to Section E
5. Do shipping documents indicate the generator is shipping waste to an approved or exempt facility?	<input checked="" type="radio"/> Y	<input type="radio"/> N	NR 610.07(1)(c)
Section Comments:			

Section E: Manifest Requirements (NR 615 requirements are cross referenced from NR 610.07(1)(d))			
1. Does the generator use a hazardous waste manifest form for shipping hazardous waste?	<input checked="" type="radio"/> Y	<input type="radio"/> N	If No, go to Section F
2. Has the generator properly notified and obtained an EPA identification number?	<input checked="" type="radio"/> Y	<input type="radio"/> N	NR 610.07(1)(e)
3. Is the manifest complete?	<input checked="" type="radio"/> Y	<input type="radio"/> N	NR 615.08(8)(a)-(l)
4. Does the manifest specify an approved facility to accept the waste?	<input checked="" type="radio"/> Y	<input type="radio"/> N	NR 615.08(3)
5. Are procedures for exception reporting being followed?	<input type="radio"/> Y	<input type="radio"/> N	<input checked="" type="radio"/> NA NR 615.11(2)
6. Does the generator forward a copy of the manifest to the Department within 5 days of shipment?	<input checked="" type="radio"/> Y	<input type="radio"/> N	NR 615.08(6)
7. Is a copy of the consignment state's manifest signed by the out-of-state receiving facility mailed to the Department within 5 days of receipt by the generator?	<input checked="" type="radio"/> Y	<input type="radio"/> N	<input checked="" type="radio"/> NA NR 615.08(10)
8. Are copies of all hazardous waste manifests retained for at least 3 years by the generator?	<input checked="" type="radio"/> Y	<input type="radio"/> N	NR 615.08(7)
Section Comments:			

Section F: On-Site Storage			
1. Does the generator store hazardous waste on-site in containers or tanks?	<input checked="" type="radio"/> Y	<input type="radio"/> N	If No, Go to Section G
2. Does the generator accumulate less than 2,205 lbs. (1000 kg) of hazardous or 2.2 lb (1 kg) of acutely hazardous waste? State number and capacity of containers or tanks of waste in storage at time of inspection <i>6 full 55-gal drums 3 half-full 55-gal drums } ≈ 3450 lbs.</i>	<input type="radio"/> Y	<input checked="" type="radio"/> N	NR 610.07(1)
3. Are the containers marked to identify the contents as hazardous waste?	<input type="radio"/> Y	<input checked="" type="radio"/> N	NR 610.07(3)(f)
4. Are waste containers leak proof and in good condition?	<input checked="" type="radio"/> Y	<input type="radio"/> N	NR 610.07(3)(a)
5. Are containers compatible to the wastes inside?	<input checked="" type="radio"/> Y	<input type="radio"/> N	NR 610.07(3)(d)
6. Are containers stored closed except when waste is added or removed?	<input checked="" type="radio"/> Y	<input type="radio"/> N	NR 610.07(3)(e)
7. Have contents of a leaking container been transferred to a nonleaking container immediately?	<input type="radio"/> Y	<input type="radio"/> N	<input checked="" type="radio"/> NA NR 610.07(3)(b)
8. Are clean up materials from leaks and spills properly managed?	<input type="radio"/> Y	<input type="radio"/> N	<input checked="" type="radio"/> NA NR 610.07(3)(b)
9. Are incompatible wastes stored in separate containers?	<input type="radio"/> Y	<input type="radio"/> N	<input checked="" type="radio"/> NA NR 610.07(3)(e)

VERY SMALL QUANTITY GENERATOR INSPECTION FORM
WISCONSIN DEPARTMENT OF NATURAL RESOURCES
HAZARDOUS WASTE MANAGEMENT PROGRAM

Section Comments:

Section G: On-Site Treatment

1. Does the generator treat hazardous waste on-site?	Y	<input checked="" type="radio"/> N	If No, go to Section H
2. Is the treatment activity licensed or exempt from licensing?	Y	<input type="radio"/> N	NR 610.07(1)(b)
3. Does the generator mix their hazardous waste with other non-hazardous wastes?	Y	<input type="radio"/> N	If No, Go to Question 5
4. Is the resulting mixture a non-hazardous waste?	Y	<input type="radio"/> N	NR 610.07(2)
5. Does the generator mix hazardous waste with used oil?	Y	<input checked="" type="radio"/> N	If No, Go to Question 6
a. Is the waste hazardous solely because it exhibits the characteristic or is listed for ignitability?	Y	<input type="radio"/> N	NR 610.07(4)
b. Is the resultant mixture burned for energy recovery in an on-site space heater?	Y	<input type="radio"/> N	If No, Explain handling of mixture in Comments
c. Does the generator burn only their own used oil or consumer generated used oils?	Y	<input type="radio"/> N	NA NR 590.14(1)(a)
d. Is the heater rated at less than 0.5 million BTU per hour?	Y	<input type="radio"/> N	NA NR 590.14(1)(b)
e. Are the heater combustion gases vented to the ambient air?	Y	<input type="radio"/> N	NA NR 590.14(1)(c)
f. Has the heater been approved by Dept. of Commerce for burning used oil?	Y	<input type="radio"/> N	NA NR 590.14(1)(d)
g. Does the used oil pass the rebuttable presumption?	Y	<input type="radio"/> N	NA NR 590.14(1)(e)
h. Does the used oil meet the specifications stated for flashpoint and total Halogens?	Y	<input type="radio"/> N	NA NR 590.14(1)(e)
6. Is absorbent material combined with hazardous waste to eliminate free liquids?	Y	<input checked="" type="radio"/> N	If No, Go to Question 8
a. Is the absorbent added when the hazardous waste is first placed in the container?	Y	<input type="radio"/> N	NR 610.07(5)(a)
b. Are containers leak proof and in good condition?	Y	<input type="radio"/> N	NR 610.07(5)(b)
c. Are contents of a leaking container transferred to a nonleaking container immediately?	Y	<input type="radio"/> N	NR 610.07(5)(c)
d. Are clean up materials from spills and leaks properly managed?	Y	<input type="radio"/> N	NR 610.07(5)(c)
e. Are containers compatible with the materials being stabilized?	Y	<input type="radio"/> N	NR 610.07(5)(d)
f. Is absorbent added in a manner to prevent waste spills?	Y	<input type="radio"/> N	NR 610.07(5)(e)
g. Does the generator prevent the mixing of incompatible wastes?	Y	<input type="radio"/> N	NR 610.07(5)(f)
7. Is absorbent material combined with ignitable or reactive waste?	Y	<input checked="" type="radio"/> N	If No, go to Question 8
a. Is mixing done so no extreme heat or pressure, fire, explosion or violent reaction occur?	Y	<input type="radio"/> N	NR 610.07(5)(g)1
b. Is mixing done so no uncontrolled toxic mists, fumes, dusts or gases are released?	Y	<input type="radio"/> N	NR 610.07(5)(g)2
c. Is mixing done so no uncontrolled flammable fumes or gases are released?	Y	<input type="radio"/> N	NR 610.07(5)(g)3
d. Is mixing done so the structural integrity of the waste unit is not damaged?	Y	<input type="radio"/> N	NR 610.07(5)(g)4
8. Is the treated waste managed in accordance with NR 600-685?	Y	<input type="radio"/> N	NR 610.07(5)(h)

Section Comments:

VERY SMALL QUANTITY GENERATOR INSPECTION FORM
WISCONSIN DEPARTMENT OF NATURAL RESOURCES
HAZARDOUS WASTE MANAGEMENT PROGRAM

Section H: Universal Waste Management

1. Are Universal Wastes generated at the facility?				Y	<input checked="" type="radio"/> N	If No, go to Section I	
Waste Type	Quantity	On Site Storage	On-Site Treatment	Shipped to Handler/Destination Facility (List)			
Fluorescent Bulbs							
Non-lead Acid Batteries							
Mercury Containing Devices							
Recalled Pesticides							
2. Does the generator comply with the small quantity handler requirements if <5,000 kg/yr is accumulated?				Y	N	NA	NR 690 Subch. II
3. Does the generator comply with the large quantity handler requirements if >5,000 kg/yr if accumulated?				Y	N	NA	NR 690 Subch III
4. If the universal waste is not recycled, has the generator complied with the applicable NR 600-685 requirements?				Y	N	NA	NR 690.04(2)

Section Comments:

Section I: Facility Status Evaluation

1. Is the Very Small Quantity Generator status confirmed by this inspection? Y N
 If No, what is the correct generator classification: STORING > 1000 kg. TEMPORARY SQG.
 Non-Generator Small Quantity (NR 610) Large Quantity (NR 615)

2. Are there any other on-site hazardous waste activities at the facility?
 Storage Transfer Transporter Treatment Disposal

3. Inspection Summary Comments:

DNR Inspector Signature: *Emile White* Date: 12-5-07

Note: All "NR" references are Wisconsin Administrative Code Chapters.

Section A: Inspection Information

Inspection Date(s): 12-5-2007	DNR Region: SER	DNR Inspector(s): DOLORES HAYDEN USEPA: BRENDA WHITNEY
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Section B: Generator Information

Generator Name KITZINGER COOPERAGE	EPA ID Number WLD 023402639	Facility ID (FID) Number 241063570
Street Address 2529 E NORWICH AVE	City ST. FRANCIS	ZIP Code 53235
County MILWAUKEE	Generator Contact Name BOB JANOWSKI	Title VICE PRESIDENT
E-Mail Address:	Telephone Number (include area code) (414) 483-8800	

Legal Owner Name	Telephone Number (include area code)
Street Address	City
State	ZIP Code

Personnel Present BOB JANOWSKI	Title VICE PRESIDENT
Personnel Present	Title

Generator's Main Product or Process
 PLASTIC / STEEL CONTAINER RECONDITIONING.

Section C: Waste Information

Description of Waste Generated	Hazardous Waste Code	Generation Rate lbs/month	Receiving Facility	Analysis (Date)	Generator Knowledge (✓)
SILICONE WASTE	(F003, F005) D001	< 220 ^{lb} / _{mo}	BRENTAG, LLC	10/31/07	<input checked="" type="checkbox"/>
ASH, FILTER CAKE, DUST	NON HAZ	Several cubic yards	—	9/10/03	<input type="checkbox"/>
					<input type="checkbox"/>
					<input type="checkbox"/>

Note: All "NR" References are Wisconsin Administrative Code Chapters

NR 610.05(3)	1. Has a hazardous waste determination been made on each solid waste generated? Check the appropriate means of the determinations: individual wastes in lugger <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Lab Analysis <input checked="" type="checkbox"/> Generator knowledge (specify): box: ASH, FILTER CAKE, BAGHOUSE DUST, CRUSHED LAMPS
NR 605.12(1)	2. Were waste samples analyzed by certified, registered, or approved laboratories under NR 149? If YES, provide lab names and certification numbers. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No ONYX 268261128
NR 610.05(5)	3. Has a new waste analysis been made if the process generating the hazardous waste changed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
NR 610.05(6)	4. Does the generator keep records of all waste determinations on-site for at least three years from the date the waste was last sent to a storage, treatment or disposal facility? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
NR 610.08(1)(b)	5. Has the generator submitted a notification form and obtained an EPA ID#? Note: A subsequent notification should be submitted when there is an ownership or name change. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Section D: Manifest Requirements and Off-Site Shipments

NR 610.08(1)	1. Does the generator initiate a manifest with all off-site shipments of hazardous waste? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
NR 610.08(8)	2. Is the manifest complete? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
NR 615.08(3)	3. Does the manifest specify an approved facility to receive the waste? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

NR 615.08(6)	4. Does the generator send a copy of the manifest to the Department and the receiving state within 5 business days of shipment?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
NR 615.11(10)	5. Does the generator send a copy of the consignment state's manifest signed by the receiving facility to the Department within 5 business days of receipt?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
NR 615.08(7)	6. Are copies of all manifests for the past 3 years retained on-site and available for review?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
NR 610.08(1)(j) and (k)	7. Is the hazardous waste packaged, marked and labeled according to DOT requirements? <i>unknown</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No
NR 610.08(1)(L)	8. Does the generator offer the initial transporter appropriate placards?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <i>Don't ship without</i>

Section E: Land Disposal Restrictions

NR 675.07	1. Has the generator determined if each waste is prohibited from land disposal? <input type="checkbox"/> Lab analysis <input checked="" type="checkbox"/> Generator knowledge	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
NR 675.06	2. Does the generator comply with the prohibition against dilution of wastes?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
NR 675.07(1)	3. Does the generator provide notification to the off site facility with each shipment?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
NR 675.07(1)	4. Check the appropriate type of LDR notification: <input type="checkbox"/> Waste is subject to an EXEMPTION from a prohibition (i.e. case-by-case variances, 675.05(2) exemption, nationwide capacity variance) <input type="checkbox"/> Waste MEETS treatment standards; certification that wastes may be land disposed without further treatment <input checked="" type="checkbox"/> Waste EXCEEDS treatment standards; notice of appropriate treatment and applicable prohibitions	
NR 675.07(1)(j)	5. Does the generator retain a copy of LDR notifications and certifications for 5 years?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
NR 675.09(1)	6. Have underlying hazardous constituents been identified for characteristic wastes?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
NR 675.09(2)	7. If the waste is both a listed and characteristic waste, are all of the treatment standards for the characteristic waste included in the treatment standards for the listed waste?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
NR 675.09(2)	8. If NO to No. 7, are the additional treatment standards for the characteristic waste identified?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
NR 675.20(4)	9. Are wastes with different treatment standards for a constituent of concern mixed? <i>UNKNOWN (ASH, FILTER CAKE, BAGHOUSE DUST MIXED)</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
NR 675.20(4)	10. If YES to No. 9, is the most stringent treatment standard selected?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

Section F: Reporting

NR 610.08(1)(g)	1. Have annual reports covering generator activities during the previous calendar year been submitted to the Department by March 1 of the following year? <i>when waste is generated</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>- ASK DELORES</i>
NR 610.08(1)(h)	2. Are procedures for exception reporting followed?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A

Section G: Preparedness and Prevention

NR 630.21(2)	1. Does the generator have ALL of the following equipment, unless the equipment is not necessary for the types of wastes handled? <input checked="" type="checkbox"/> A device to summon emergency assistance (e.g., telephone, 2 way radio) <i>pager/radio 2 way</i> <input type="checkbox"/> Internal communications and <u>alarm</u> systems <i>(new section/sprinkler)</i> <input checked="" type="checkbox"/> Portable fire extinguishers <input checked="" type="checkbox"/> Fire control equipment, including special extinguishing equipment <input checked="" type="checkbox"/> Adequate spill control equipment <input checked="" type="checkbox"/> Decontamination equipment (e.g., eyewash, shower)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
NR 630.21(4)	2. Is all of the above emergency equipment tested and maintained to assure its proper operation in an emergency?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
NR 630.21(3)	3. Is there immediate access to internal or external alarms in hazardous waste handling areas?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

4. Has the generator made necessary arrangements with the following emergency organizations?

- Primary and support roles have been defined if multiple police and fire departments could respond to an emergency
- Familiarize police, fire and emergency response teams with the site layout, hazards of the waste handled, places where personnel work, entrances and roads in the site and possible evacuation routes
- Agreements with emergency response contractors and equipment suppliers to provide response
- Familiarize local hospitals with the properties of wastes handled and the potential resulting injuries or illnesses

St. Francis fire inspects quarterly
No.
Aurora South Shore Hospital

NR 630.21(6) Yes No

NR 630.21(5) 5. Is adequate aisle space provided throughout the site to allow for the unobstructed movement of personnel and all emergency equipment? Yes No

Section H: Emergency Procedures

NR 610.08(1)(w)1. 1. Has a person been identified as an emergency coordinator who is responsible for coordinating all emergency response measures and is on the premises or able to reach the site within a short period of time? Yes No

NR 610.08(1)(w)2. 2. Is ALL of the following information posted next to any telephone with an outside line that may be used when responding to an emergency?
 Name and telephone number of the emergency coordinator or the procedures for contacting that person
 The location of the nearest fire extinguisher, spill control material and fire alarm
 Telephone number of the fire department unless the generator has a direct alarm

NR 610.08(1)(w)3. 3. In the event of an emergency, will the emergency coordinator take the following actions?
 Activate internal alarms or communication systems
 Telephone the division of emergency government (1-800-943-0003)
 Call the fire department and attempt to extinguish the fire if appropriate
 Contain the flow of hazardous waste to the extent possible during a spill or discharge
 Take all reasonable measures necessary to ensure fires, explosions and discharges do not occur, reoccur, or spread
 Arrange for and complete cleanup of the hazardous waste and any contaminated materials or soils

NR 610.08(1)(w)4. 4. If there is a release that threatens human health outside of the generator site or if a spill reaches surface water, will the generator immediately notify the national response center and submit a written report? Yes No

Section I: Personnel Training Requirements

NR 610.08(1)(u) 1. Are all employees properly trained and thoroughly familiar with proper waste handling and emergency procedures? Yes No

NR 610.08(1)(v) 2. If the generator accumulates greater than 6000 kg of waste, are the following records kept at the site?
 A written description of the training program
 Documentation that training has been given to employees
 Documentation that training has been reviewed annually

OTJ
(mentoring)
Bob only person handles waste.
N/A

Section J: 180-Day Container Accumulation

NR 610.08(1)(n)9. 1. Does the generator accumulate hazardous waste in containers? If NO, go to Section K. Yes No

NR 610.08(1)(n)9. 2. Are all containers marked with the starting date of accumulation? Yes No

NR 610.08(1)(n)1 a. 3. Are all containers accumulated for:
 180 days or less?
 270 days or less if the waste is shipped 200 miles or more?

NR 610.08(1)(n)2.c. 4. If the containers are accumulated for 270 days or less, does the generator have written documentation on why the selected off-site facility was chosen? Yes No N/A

NR 610.08	5. Does the generator accumulate less than 6,000 kg (13, 230 lbs) at any time?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
NR 610.08(1)(k)1	6. Are all containers marked with the words "Hazardous Waste" or other words that identify the contents as hazardous waste?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
NR 610.08(1)(o)3.	7. Are all containers of hazardous waste in good condition?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
NR 610.08(1)(o)8.	8. Are all containers made of or lined with materials that are compatible with the waste?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
NR 610.08(1)(o)5.	9. Are all containers kept closed, except when it is necessary to add or remove waste?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
NR 610.08(1)(o)6.	10. Are containers opened, handled or stored to prevent leaks or ruptures?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
NR 610.08(1)(o)1.	11. Are containers and accumulation areas inspected weekly for leaks and defects?	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
NR 610.08(1)(o)2.	12. Are the inspections recorded into a log which includes ALL of the following? <input type="checkbox"/> Date and time of inspection <input type="checkbox"/> Name of inspector <input type="checkbox"/> Notation of the observations made <input type="checkbox"/> Date and nature of repairs or remedial actions	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No <i>See them every day</i>
NR 610.08(1)(o)2.	13. Are the inspection records kept for at least 3 years from the date of the inspection?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
NR 610.08(1)(n)4.	14. If a container begins to leak, are the contents immediately removed and placed in a leak proof container?	<input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> N/A <i>not observed</i>
NR 610.08(1)(o)7.	15. Are containers of incompatible wastes separated or protected from each other by a physical barrier (dike, berm, wall or other device)?	<input type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
NR 610.08(1)(o)11.	16. Are incompatible wastes stored in separate containers?	<input type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
NR 610.08(1)(o)10.	17. Are containers that previously held an incompatible waste properly washed before adding waste?	<input type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> N/A

Section K: Satellite Accumulation

NR 610.08(2)(a)2.	1. Does the generator accumulate waste at or near the generation point? If NO, go to Section L.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
NR 610.08(2)(a)4.	2. Are the containers in good condition?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
NR 610.08(2)(a)5.	3. Are the containers always kept closed except when it is necessary to add or remove waste?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
NR 610.08(2)(a)6.	4. Are containers opened, handled or stored to prevent leaks or ruptures?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
NR 610.08(2)(a)7.	5. Are all containers made of or lined with materials that are compatible with the waste?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
NR 610.08(2)	6. Are the containers marked "hazardous waste" or other words that identify the contents?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
NR 610.08(2)(a)8.	7. Does the generator accumulate <u>no more</u> than 55 gallons of hazardous waste or 1 quart of acute hazardous waste in each satellite area?	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
NR 610.08(2)(a)8.	8. Are the containers immediately marked with the date the excess amount is generated?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
NR 610.08(2)(a)8.	9. Does the generator comply with the 180 day accumulation requirements with respect to the excess amount within 3 days of it being generated?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Section L: Accumulation in Spill Containment Tank

NR 610.08(3)	1. Does the generator accumulate hazardous waste in a spill containment tank? If NO, go to Section M	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
NR 610.08(3)	2. Does the generator comply with the following: <input type="checkbox"/> Tank is empty unless a spill occurs <input type="checkbox"/> All hazardous waste is removed within 24 hours or at the earliest practicable time <input type="checkbox"/> Generator complies with applicable tank standards	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Section M: Stabilization with Absorbent Material

NR 610.08(4)	1. Does the generator combine absorbent material with hazardous waste for the purpose of eliminating free liquids? If YES, see NR 610.08(4).	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
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Section N: Waste Minimization Certification

10.08(1)(e) 1. Has the small quantity generator made a good faith effort to minimize the amount of waste generated? Yes No

Section O: Universal Waste Management

Are universal wastes generated at the site? If NO, go to Section P. Yes No

Waste Type	Quantity Generated	On-Site Storage	On-Site Treatment (List)	Shipped to handler/destination facility (List)

Note: Management of CRTs and antifreeze, as per department guidance, should also be discussed with the generator.

NR 690 Such. II 1. Does the generator comply with the small quantity handler requirements if <5,000 kg/yr is accumulated? Yes No N/A

NR 690 Subch. III 2. Does the generator comply with the large quantity handler requirements if >5,000 kg/yr is accumulated? Yes No N/A

NR 690.04(2) 3. If the universal waste is not recycled, has the generator complied with the applicable NR 600-685 requirements? Yes No N/A

Section P: Generator Status Evaluation

1. Is the Small Quantity Generator status confirmed by this inspection? *Temporary Status* - Yes No

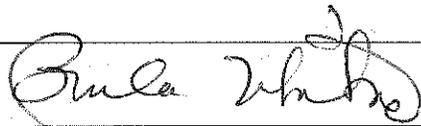
2. ~~If No~~, what is the ~~correct~~ generator classification? *Generation Rate based*
 Non-Generator ^{Very Small} Very Small Quantity Generator Large Quantity Generator

3. Are there any other on-site hazardous waste activities at the generator's location? Yes No

4. If YES, check all that apply.
 Accumulation in Tanks Recycling Transfer Transporter Treatment Storage Disposal

Inspection Comments. Add comments on additional pages if necessary.

~~USEPA~~
DNR Inspector Signature:



Date:

12-5-2007

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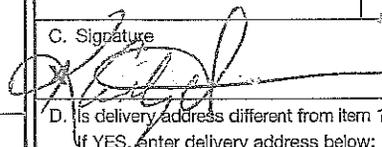
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